

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Antoine Donshea Davis

Docket No. 4:07-CR-70-1D

Petition for Action on Supervised Release

COMES NOW Michael W. Dilda, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of, Antoine Donshea Davis, who, upon an earlier plea of guilty to Felon in Possession of a Firearm, in violation of 18 U.S.C. §§ 922(g)(1) and 924, was sentenced by the Honorable James C. Dever III, Chief U.S. District Judge, on January 13, 2009, to the custody of the Bureau of Prisons for a term of 132 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 5 years. On December 29, 2014, pursuant to an Order regarding the government's motion to reduce sentence pursuant to Rule 35(b)(1), Davis' sentence was reduced to 102 months custody.

Antoine Donshea Davis was released from custody on July 10, 2015, at which time the term of supervised release commenced. On June 9, 2016, a Petition for Action on Supervised Release was filed that noted the defendant tested positive for marijuana on May 25, 2016. On June 14, 2016, the court concurred with the recommendation of the probation officer to have Davis complete 2 days custody in the Bureau of Prisons and participation in the DROPS Program. The defendant completed his period of incarceration on July 10, 2016.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On September 17, 2016, the defendant was arrested in Pitt County, North Carolina, for Driving While Impaired (16CR56914), Possession of an Open Container/Consumption of Alcohol in Passenger Area, and Impede Traffic by Slow Speed (16IF706325), which occurred on the same day. These charges remain pending for disposition. Davis, who appropriately reported the offenses to the undersigned probation officer, agreed to report for an alcohol abuse assessment and participate in counseling, as required. Additionally, as a sanction for this violation conduct, the completion of 30 days of Location Monitoring with curfew is recommended. On September 28, 2016, the defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall adhere to a curfew as directed by the probation officer for a period not to exceed 30 consecutive days. The defendant is restricted to his residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

/s/ Michael W. Dilda
Michael W. Dilda
U.S. Probation Officer
201 South Evans Street, Rm 214
Greenville, NC 27858-1137
Phone: 252-830-2342
Executed On: October 13, 2016

ORDER OF THE COURT

Considered and ordered this 14 day of October, 2016, and ordered filed and
made a part of the records in the above case.

James C. Dever III
James C. Dever III
Chief U.S. District Judge